

**COUNSEL LISTED ON SIGNATURE PAGE**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

## SBJ IP HOLDINGS 1, LLC,

Plaintiff,

V.

NETFLIX, INC., AMAZON.COM, INC.,  
and BORDERS GROUP, INC.

## Defendants.

Case No. C 08-80109SI

**STIPULATION AND [PROPOSED]  
ORDER MODIFYING BRIEFING  
SCHEDULE FOR THIRD PARTY  
VIGNETTE CORPORATION'S MOTION  
TO QUASH AND DEFENDANTS MOTION  
TO COMPEL SUBPOENA *DUCES TECUM***

(U.S.D.C. Eastern District of Texas)

Defendants Amazon.com, Inc. and Borders Group, Inc. (“Defendants”), and third-party Vignette Corporation (“Vignette”) submit the following Stipulation and Proposed Order concerning the briefing schedule on Vignette’s motion to quash and Defendants motion to compel.

WHEREAS, on May 30, 2008, Defendants and Vignette filed a stipulation and proposed order continuing the hearing date on Vignette's motion to quash until July 18, 2008 and briefing schedule corresponding to that date pursuant to the local rules;

WHEREAS, on June 13, 2008, Defendants filed a motion to compel Vignette's compliance with one of the requests for documents in the subpoena;

WHEREAS, on June 19, 2008 the Court continued the hearing on Vignette's motion to quash and Defendants motion to compel to August 15, 2008 at 9:00 a.m.; and

## STIPULATION AND [PROPOSED] ORDER

Case No. C 08-80109SI

WHEREAS, Defendants and Vignette wish to modify the briefing schedule to which they previously stipulated to correspond to the August 15, 2008 hearing date pursuant to the Local Rules.

## **STIPULATION**

In view of the foregoing, Defendants and Vignette stipulate to the following order:

1. In accordance with Civ. L.R. 7-3(a) and 7-7(d), Defendants shall file any opposition to the motion to quash and Vignette shall file any opposition to the motion to compel by July 25, 2008; and

2. In accordance with Civ. L.R. 7-3(c) and 7-7(d), Defendants shall file any reply in support of its motion to compel and Vignette shall file any reply in support of its motion to quash by August 1, 2008.

Dated: June 26, 2008

By: /s/ *Ryan Tyz*

Ryan Tyz  
(CSB No. 234895)  
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ATTORNEYS FOR DEFENDANTS  
AMAZON.COM, INC., and BORDERS  
GROUP, INC.

Dated: June 26, 2008

By: /s/ Sue Avers

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ATTORNEYS FOR THIRD PARTY  
VIGNETTE CORPORATION

## ORDER

**PURSUANT TO STIPULATION, IT IS SO ORDERED**

Dated: \_\_\_\_\_, 2008

Honorable Susan Illston  
United States District Judge

**FENWICK & WEST LLP**  
ATTORNEYS AT LAW  
MOUNTAIN VIEW

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Ryan Tyz, attest that concurrence in the filing of this document has been obtained from Ms. Sue Ayers, counsel for Vignette Corporation.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 26th day of June, 2008 in Mountain View, California.

/s/ Ryan Tyz  
Ryan Tyz